

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

**Title of
Invention**

**PROGNOSTIC AND DIAGNOSTIC MARKERS FOR CELL PROLIFERATIVE
DISORDERS OF THE BREAST TISSUES**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- The attached application, or
 Application No. 10/575,753, filed on October 14, 2004.
 as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

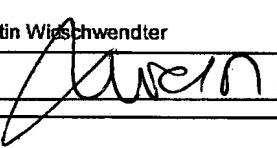
WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one: Martin Widschwendter

Signature:  Citizen of: AT

Inventor two:

Signature: Citizen of:

Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

Practitioners associated with Customer Number:

22504

OR

Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:

The address associated with Customer Number

22504

OR

<input type="checkbox"/> Firm or Individual Name			
Address			
City	State	Zip	
Country			
Telephone			Email

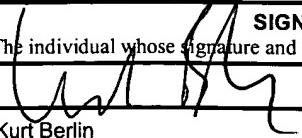
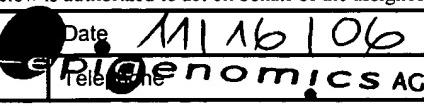
Assignee Name and Address:

Epigenomics AG
Kleine Praesidentenstrasse 1
10178 Berlin, Germany

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature		Date	11/16/06
Name	Dr. Kurt Berlin	Telephone	
Title	Exec. VP & CSO	Kleine Praesidentenstr.1 • D-10178 Berlin Phone: 49-30-7416100	

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain patent rights by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Epigenomics AGApplication No./Patent No.: 10/575,753Filed/Issue Date: October 14, 2004Entitled: PROGNOSTIC AND DIAGNOSTIC MARKERS FOR CELL PROLIFERATIVE DISORDERS OF THE BREAST TISSUESEpigenomics AG

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest; or
2. an assignee of less than the entire right, title, and interest

The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached. Additional documents in the chain of title are listed on a supplemental sheet. Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

Dr. Kurt Berlin

Printed or Typed Name

Exec. VP & CSO

Title

Date

Kleine Präsidentenstr. 1 · D-10178 Berlin
Telephone Number
phone: +49 30 24345-0 · fax: -555

ASSIGNMENT

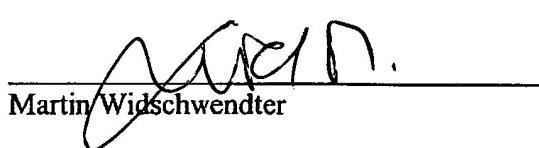
33 ST MARY'S ROAD, TN9 2LD TONBRIDGE,

WHEREAS, I, Martin Widschwendter, residing at Weidach 35, A-6414 Micling, Austria UK
(ASSIGNOR) am an inventor named in an application for a Letters Patent of the United States entitled
PROGNOSTIC AND DIAGNOSTIC MARKERS FOR CELL PROLIFERATIVE DISORDERS OF
THE BREAST TISSUES, said Application No. 10/575,753 bears international filing date October 14,
2004 and claims priority to DE 10348407.8 filed October 17, 2003;

AND, WHEREAS, Epigenomics, AG, a German corporation, having administrative offices at Kleine
Praesidentenstrasse 1, 10178 Berlin, Germany (hereinafter referred to as ASSIGNEE) is desirous of
acquiring the entire right, title and interest in the invention described in the said application;

NOW, THEREFORE, for sufficient, good and valuable consideration, the receipt of which is hereby
acknowledged, I do hereby sell, assign, and transfer unto said ASSIGNEE, my entire right, title to and
interest in said application and said inventions and all corresponding foreign applications and patents on
said invention(s) to be held and enjoyed by ASSIGNEE as entirely as the same would have been held
and enjoyed by me had this sale, assignment, and transfer not been made, and I do hereby further agree
and promise to execute all instruments and render all such assistance as ASSIGNEE may request in
order to make and prosecute any and all applications on said invention(s), to enforce any and all patents
on said invention(s), and to confirm in ASSIGNEE legal title to said invention(s) and all applications
and patents on said invention(s), all without charge to ASSIGNEE but at no expense to me.

Executed in TONBRIDGE, this 18 day of NOVEMBER, 2006.



Martin Widschwendter